

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 13175 of 2004

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Between:

Abdul Wahed Feroze, S/o. Mohd. Abdul Majeed,
Muffakhamjah College of Engineering & Technology,

Hyderabad, R/o. K-43, N.R.R. Puram, Borabanda,

Hyderabad-500018.

..... PETITIONER

AND

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1 Muffakham Jah College of Engineering and Technology,

rep by its principal Road No.3, Banjarahills, Hyderabad.

2 Osmania University , rep. by its Registrar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Mandamus declaring the action of the respondents in not permitting the petitioner to attend the fourth year classes of B.E. (Civil) and appearing for the B.E. (Civil) fourth year examinations and complete the course with his Hall Ticket No. 04-01-045 as illegal, unconstitutional and violative of Article 14, 16 and 21 of the Constitution of India and consequently direct the course and appear the petitioner to attend the fourth year classes of B.E. (Civil) course and appear for the B.E. (Civil) fourth year examinations.

Counsel for the Petitioner: MR.K.RAMAKANTH REDDY

Counsel for Respondents 1&2: MR.DEEPAK BHATTACHARJEE

The Court Made the Following ORDER:

Heard learned counsel for the petitioner and also the learned counsel for the respondents.

It is not in dispute that the petitioner is having 10 backlogs to his credit. Learned counsel for both the parties state that the petitioner is having 10 backlogs to his credit namely, one backlog in second year second semester, five backlogs in first semester of third year and four backlogs in the second semester of third year. In view of the Revised Rules of Promotion for B.E. (Regular & PTDC/FDH) the petitioner cannot be promoted to fourth year since the Rules clearly envisage that the number of backlogs, if any, put together shall not exceed 50% of the total number of papers prescribed for the first and second semester of B.E. third year. The petitioner is having 10 backlogs, which is more than 50% of the total number of papers prescribed for the first and second semester of B.E. third year.

In view of the same, unless the petitioner is having backlogs less than 50% of the total number of papers prescribed for the first and second semester of B.E. third year as referred to above, he is not eligible to be promoted to fourth year.

Accordingly, the Writ Petition is dismissed at the admission stage.

A. Gopal Reddy, J.

30th August, 2004.

Js.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal, Muffakham Jah College of Engineering

and Technology, Road No.3, Banjarahills, Hyderabad.

2 The Registrar, Osmania University , Hyderabad.

3 2 CD copies.